

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

MARGARET STARKS,	)	
	)	
Plaintiff,	)	
	)	No. 4:21-cv-00435-RLW
v.	)	
	)	
ST. LOUIS COUNTY, et. al.,	)	
	)	
Defendants.	)	

**MOTION TO STAY THE CASE**

**COMES NOW**, the Defendants St. Louis County and William Trachsel, through counsel, pursuant to Fed. R. Civ. P. 26 and this Court’s inherent power to govern and regulate cases before it, and moves this Court to enter its Order staying this case pending resolution of the Motion to Judgment on the Pleadings previously filed by these Defendants which addresses all claims and issues asserted against them. As grounds for his motion, Defendants St. Louis County and William Trachsel state and allege to the Court as follows:

1. This is a civil action in which Plaintiff advances claims under 42 U.S.C. § 1983, and Mo.Rev.Stat. § 221.120.
2. It is alleged Defendants St. Louis County and William Trachsel violated the Decedent’s constitutional and/or statutory rights in each Count, in that Plaintiff alleges that the death of the Decedent was either “the direct and proximate result,” a “direct and proximate consequence of,” a “result of the actions of,” or “as the direct and proximate result of” the actions of the Defendants.
3. These Defendants have filed a comprehensive Motion for Judgment on the Pleadings addressing a legal basis for dismissal of all claims asserted against them.

4. A ruling on the Motion for Judgment on the Pleadings requires no discovery and involves purely questions of law.
5. A stay of this case is appropriate in that if the motion is sustained, the parties will be relieved from incurring needless effort, time, and expense related to discovery, participation in mediation, and other work involved in processing a lawsuit of this type.
6. This Court has the authority to grant the relief sought herein pursuant to Rule 12(c), Fed. Rules of Civil Procedure.
7. Defendant incorporates herewith their suggestions in support of this motion as though said suggestions had been set forth at length herein.

WHEREFORE, based upon the above and foregoing, Defendants St. Louis County and William Trachsel respectfully prays this Court to enter its Order staying all proceedings in this case until the pending Rule 12(c) motion has been decided, together with such other and further relief as this Court deems just and appropriate.

Respectfully submitted,

BETH ORWICK

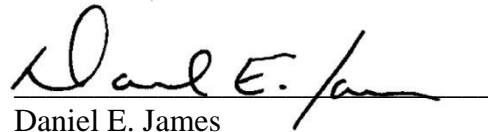
ST. LOUIS COUNTY COUNSELOR

A handwritten signature in black ink, appearing to read "Daniel E. James", written over a horizontal line.

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*Attorney for the Defendants*

**CERTIFICATE OF SERVICE**

I hereby certify that on this 11th day of February, 2022, a copy of the foregoing Motion to Stay Case was filed with the Court's Electronic Filing System which sent notice to all counsel of record.

A handwritten signature in black ink, appearing to read "Daniel E. James", is written over a horizontal line.

Daniel E. James  
Associate County Counselor